

REMARKS

I. Introduction

Claims 1-11 remain pending in the application. The Office action rejects claims 1-4, 6-7, and 9-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,369,705 to Bird (hereinafter “Bird”) in view of U.S. Patent No. 7,065,579 to Traversat et al. (hereinafter “Travesat”). The Office action further rejects claims 1-4, 6-7, and 9-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,369,705 to Bird (hereinafter “Bird”) in view of U.S. Patent No. 7,185,194 to Engstrom et al. (hereinafter “Engstrom”).

II. Allowable Subject Matter

Claims 5 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The applicants respectfully traverse the rejections and respond as follows.

III. Telephonic Discussions

The applicants’ representative, Andrew R. Smith, and Examiner Blair discussed the objections to claims 5 and 8 via telephone on June 4, 2008. Examiner Blair agreed that amending claim 1 to include the recitations of claim 5 while excluding the recitations of the intervening claim 4 would be allowable over the cited references.

IV. Rejections under § 103

The applicants amend claim 1 to include the recitations of claim 5 without the intervening claim. Based on the previous discussion with Examiner Blair, applicants believe the application is in condition for allowance and such action is hereby requested.

V. Conclusion

The applicants invite the examiner to contact the undersigned attorney with any questions regarding this response or the application as a whole. If there are any additional

Application No. 09/955,923
Amendment dated June 27, 2008
Reply to Office Action of March 27, 2008

Docket No.: 30835/183230

fees or refunds required, the Commissioner is directed to charge or debit Deposit Account No. 13-2855.

Dated: June 27, 2008

Respectfully submitted,

By 

Andrew R. Smith

Registration No.: 62,162

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant